

JUN 27 2005

## FAX TRANSMITTAL

Date: June 27, 2005

To: Rebecca Cook  
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**Message:**

Serial No.: 10/051662

In Reference to Applicant: Rodriguez, et al.

Filed: January 18, 2002

For: Prevention of Ovarian Cancer by Administration of a Vitamin D Compound

Group Art Unit: 1614

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JUN 27 2005

PTO/SB/21 (09-04)


Approved for use through 07/31/2008. OMB 0851-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/051,662
	Filing Date	January 18, 2002
	First Named Inventor	Rodriguez et al.
	Art Unit	1614
	Examiner Name	Rebecca Cook
Total Number of Pages in This Submission	Attorney Docket Number	31140-B

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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Firm Name	Jenner & Block		
Signature			
Printed name	Raymond N. Nimrod		
Date		Reg. No.	31,987

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Raymond N. Nimrod	Date	6/27/05

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JUN 27 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,325.00

**Complete If Known**

Application Number	10051,662
Filing Date	1/18/2002
First Named Inventor	Gustavo C. Rodriguez
Examiner Name	Rebecca Cook
Art Unit	1614
Attorney Docket No.	31140B

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	100.00 OP
Design	200	100	100	50	130	65	1225.00 OP
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues) \_\_\_\_\_

Each independent claim over 3 (including Reissues) \_\_\_\_\_

Multiple dependent claims \_\_\_\_\_

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims 30 Extra Claims 49 Fee (\$) 25 Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims 4 Extra Claims 1 Fee (\$) 100.00 Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. Sec 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
79	20	1	125	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature	Registration No. (Attorney/Agent) 31,987	Telephone 312-927-5833
Name (Print/Type) Raymond N. Nimrod		Date June 27, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No.: 10/051,662

JUN 27 2005

Our File No. 31140-B

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rodriguez, et al. )

Serial No.: 10/051662 )

Examiner: R. Cook )

Filed: January 18, 2002 )

Group Art Unit: 1614 )

For: Prevention of Ovarian Cancer by )  
Administration of a Vitamin D Compound )Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT AND RESPONSE

Applicants thank the Examiner for conducting the interview with Applicant Gus Rodriguez and his undersigned representative. Applicants are submitting an Information Disclosure Statement concurrently herewith by Express Mail.

Dr. Rodriguez has worked diligently since the interview to draft claims based on the distinguishing concepts discussed at the interview. The new claims include five independent claims. Each independent claim incorporates at least one limitation that distinguishes over the Need reference. Dr. Rodriguez has drafted the claims with possible products in mind that he desires to bring to the clinical level. Allowance of the claims, which we believe to be distinguished over the prior art, would make it more possible to advance such products.

Dr. Rodriguez respectfully requests that, if possible, the Examiner consider allowance of the newly submitted claims in this application. Dr. Rodriguez also would certainly welcome the possibility of another interview with the Examiner to discuss these new claims.